

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10-CV-00186**

<b>U.S. BANCORP EQUIPMENT FINANCE, INC.,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>DEREK A. EUDY,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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**THIS MATTER** is before the Court upon the Parties' proposed Consent Order for Dismissal Without Prejudice. Plaintiff U.S. BANCORP EQUIPMENT FINANCE, INC. ("Plaintiff") and Defendant DEREK A. EUDY (hereinafter collectively, the "Parties" and each individually a "Party") having entered into that certain Settlement Agreement dated December 22, 2010 (the "Settlement Agreement"), **IT IS, THEREFORE, ORDERED THAT:**

1. The above-captioned action is hereby dismissed without prejudice and without costs as against any Party.
2. The Court shall retain jurisdiction over this action in order to enforce the terms of the Settlement Agreement.
3. Plaintiff and/or its successors and/or assigns may move this Court to re-open this action in order to enforce the terms of the Settlement Agreement and to enter judgment in accordance with the terms of the Settlement Agreement.

**IT IS SO ORDERED.**

Signed: January 10, 2011



Robert J. Conrad, Jr.  
Chief United States District Judge

